

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Mark R. Vandlik et al.)
Serial No.: 10/765,498)
Filed: 01/26/2004)
Examiner: Unassigned)
Art Unit: 3762)
For: Blood Processing Systems and Methods)
That Employ An In-Line, Flexible Leukofilter)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. § 1.97, the Examiner's attention is directed to the documents listed on the attached forms, which documents may be material to the examination of this application.

No inference should be drawn that any disclosure is equivalent to the subject invention. Also, the citation of the above-discussed documents is not to be construed as an assertion that more pertinent art could not possibly be in existence.

A copy of any foreign reference(s) that was not previously submitted in a prior application which is being relied upon for an earlier filing date under 35 USC 120 (37 CFR § 1.98(d)) is submitted herewith. Applicants note that a machine translation of the Japanese reference is also being submitted.

Citation of any document herein is not to be construed as an admission that any subject matter disclosed in the document is necessarily within the inventive field of endeavor, that any disclosure is necessarily prior in time to a particular date which may be relevant to the instant patent application, and/or that any disclosure is otherwise necessarily prior art with respect to the instant invention.

The right is also reserved to later set forth how the instant invention is distinguished over the disclosure of any document or other art, including the disclosure of those documents discussed herein, that may be cited by the Examiner in rejecting a claim in the present patent application.

☒ 1. This information disclosure statement is being filed within the following time period(s) set forth in 37 CFR § 1.97(b), and therefore no fee is believed to be due:

☐ Within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d);

☐ Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application;

☒ Before the mailing of first Office action on the merits; or

☐ Before the mailing of first Office action after the filing of a request for continued examination under § 1.114.

☐ 2. As set forth in 37 CFR § 1.97(c), this information disclosure statement is being filed after the time period set forth in 37 CFR § 1.97(b) (see above) but before the mailing date of any of a final action under 37 CFR § 1.113, a notice of allowance under 37 CFR § 1.311 or an action that otherwise

closes prosecution in the application. [Select either one of the statements OR the fee below, as appropriate]

☐ It is hereby stated and certified with respect to this information disclosure statement:

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or

☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

☐ Enclosed is the fee set forth in 37 CFR § 1.17(p) or in the event no fee is enclosed, this is a request and authorization to charge the appropriate fee to Deposit Account No. 50-1039.

☐ 3. As set forth in 37 CFR § 1.97(d) this information disclosure statement is being filed after the period specified in 37 CFR § 1.97(c) (see above) and on or before payment of the issue fee. It is hereby stated and certified with respect to this information disclosure statement:

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or

☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

Also enclosed is the fee set forth in 37 CFR § 1.17(p) or in the event no fee is enclosed, this is a request and authorization to charge the appropriate fee to Deposit Account No. 50-1039.

In summary, it is respectfully requested that this Information Disclosure Statement be considered and made of record, and that any fee required for consideration, if not authorized above, be charged to deposit account no. 50-1039.

Respectfully submitted,

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	10/765,498
Filing Date	01/26/2004
First Named Inventor	Mark R. Vandlik
Art Unit	3762
Examiner Name	Unassigned
Attorney Docket Number	F-5489 CIP 2 CON(0360-0166.04)

Sheet

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of

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U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US-			
		US-			
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		US-			
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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ³
		Country Code ⁴ "Number" "Kind Code ⁵ (if known)				
		JP 07-267871	10-17-1995	Kawasumi Lab Inc.		✓

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 801.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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